

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of

Docket No: q66255

Robert HOFNER, et al.

Appln. No.: 09/989,377

Group Art Unit: 2667

Confirmation No.: 1293

Examiner: Christopher P. GREY

Filed: November 21, 2001

For: APPARATUS AND METHOD FOR LOAD BALANCING IN SYSTEMS HAVING
REDUNDANCY

RESPONSE TO NOTICE OF NON-COMPLIANT

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated October 25, 2006,
Applicant is submitting herewith a new Appeal Brief that obviates the deficiency noted in the
Notification.

In particular, Applicant has addressed the issues identified in the Notification.
Specifically, Applicant has included a concise explanation of the subject matter defined in each
of the independent claims. Applicant respectfully submits that the new brief complies with the
rules and therefore requests an Examiner's Answer.

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

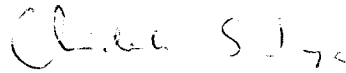
U.S. Patent Application No.: 09/989,337

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Although Applicant believes that no fee is due, the USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: December 26, 2006